

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSHUA M. COLE,

Petitioner,

Case Number: 05-71115

v.

HONORABLE AVERN COHN

KENNETH ROMANOWSKI,

Respondent.

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DENYING APPLICATION FOR WRIT OF HABEAS CORPUS
AND DISMISSING CASE**

This is a habeas case under 28 U.S.C. § 2254. Petitioner Joshua M. Cole (Petitioner) is a state prisoner convicted of one count of involuntary manslaughter and two counts of mixing a harmful substance in a drink for which he is serving a sentence of consecutive terms of 7-15 years on the manslaughter conviction and 2½ to 5 years on the mixing a harmful substance conviction. Petitioner claims that he is incarcerated in violation of his constitutional rights. The matter was referred to a magistrate judge for a report and recommendation (MJRR). The magistrate judge, in a thorough going analysis of Petitioner's claims, carefully considered all of them on the merits and recommends that the petition be denied. Petitioner has not objected to the MJRR.

Having reviewed the MJRR, the Court agrees with the magistrate judge that Petitioner is not entitled to habeas relief on any of his claims. Accordingly, the findings and conclusions of the magistrate judge are adopted as the findings and conclusions of the Court. Petitioner's application for writ of habeas corpus is DENIED. This case is DISMISSED.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: January 18, 2007

I hereby certify that a copy of the foregoing document was mailed to the parties of record and Joshua Cole, 309257, Parr Highway Correctional Facility, 2727 E. Beecher Street, Adrian, MI 49221 on this date, January 18, 2007, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160